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Editorial

Federal Workers Should Be Protected From Prying

THE FEDERAL GOVERNMENT'S two "spy" agencies, the Central Intelligence Agency and its counterpart in the Defense Department, the National Security Agency, are fighting tooth and nail for the right to delve into the personal background and private life of federal employees, even to the point of using lie detectors.

What they are fighting for, with the CIA carrying the ball, is exemption from the provisions of a bill that would help federal workers retain some vestige of privacy, and prevent prying investigation of their sex lives, their financial affairs, their religion and their family lives by the federal agencies they work for.

Target of the CIA, which this week was able by throwing its weight around to delay a Senate vote on it for a month, is a "right to privacy" bill filed by Sen. Sam J. Ervin of North Carolina, which would protect federal employees from prying questionnaires and other invasions of a worker's private life.

But the CIA holds that its mission requires the "right to pry" by means of polygraph, or lie detector, tests in order to know the personal attitudes of its staff. It contends that the national security is often at stake. The National Security Agency, although less brash in using its influence to delay action on the bill, feels the same way.

The Ervin bill, which boasts 54 co-sponsors, cleared the Senate Judiciary Committee unanimously Aug. 21. It was scheduled for floor debate Aug. 25, but withdrawn from the calendar following a unique CIA request.

Though the agency earlier spurned Sen. Ervin's invitation to testify on the bill, when it was before a subcommittee, it asked for the unprecedented privilege of changing its mind and testifying before the full committee. But it wanted its testimony to be secret. When this ploy failed and the legislation was marked up for debate by the Senate, the CIA made the unprecedented request that floor action be delayed a month.

Senate Majority Leader Mike Mansfield said he had "never heard of such a request before," but granted it to give the agency — which has twice in the past two years refused to testify on the legislation — a chance to explain its case to Senate leaders.

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ACTUALLY, THE CIA AND NSA have already been given a significant exemption from the overall terms of the bill, in that they would be permitted to question their employees about their finances, sex attitudes, religion and family affairs if necessary in specific cases to protect the national security.

But this exemption, contained in a committee amendment, is not enough for them. They apparently want the right to unrestricted prying into their employees' lives, including the use of lie detectors. In the justifiably angry words of Sen. Ervin, the CIA wants "the unmitigated right to kick federal employees around."

Although the spy agencies have, as far as is known, centered their objections to the bill around the use of the polygraph — and it is significant that the FBI does not rely on such tests in its hiring and does not regard lie detectors as foolproof in sifting truth from falsehood — it is quite obvious that they plan to seek complete exemption from the bill's terms on the Senate floor and that the CIA delayed action for a month to give it time to do some lobbying among the senators

"The basic premise of this bill," said Sen. Ervin, "is that a man who works for the federal government sells not his soul but his services."

That should be true of all federal employees — including those who work for the highly secretive and hardly infallible CIA.

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